

REMARKS

Claims 1-33 were previously pending on the mailing date of the present Office Action (May 29, 2007). Claims 1, 8-12 and 23 have been amended in this paper to clarify certain aspects of these claims. Claims 24-33 have been canceled in this paper. Therefore, claims 1-23 are presently pending in the application.

Although the present communication may include amendments or other changes to the application or claims, or characterizations of claim scope or referenced art, the owner does not concede in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The owner reserves the right to pursue any previously pending claims or other claims, whether broader or narrower, that are supported by the present disclosure under 35 U.S.C. Section 112, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, any person reviewing the prosecution history of the present application, or the prosecution history of any parent or other related application, shall not reasonably infer that any subject matter supported by the present application has been disclaimed or disavowed.

A. Status of Office Action

In the Office Action dated May 29, 2007, all of the claims were rejected. More specifically, the claims were rejected as follows:

(A) claims 19-22 were rejected under 35 U.S.C. § 102 over U.S. Patent Publication No. 2001/0032788 ("Woodruff");

(B) claims 1, 3-7, 11-18 and 23 were rejected under 35 U.S.C. § 103 over the combination of Woodruff and U.S. Patent No. 6,436,267 ("Carl");

(C) claims 8-10 were rejected under 35 U.S.C. § 103 over the combination of Woodruff, Carl, and U.S. Patent No. 6,527,920 ("Mayer");

(D) claims 30 and 31 were rejected under 35 U.S.C. § 103 over Woodruff;

(E) claims 32 and 33 were rejected under 35 U.S.C. § 103 over Woodruff and Mayer;

(F) claims 24-29 were also rejected under 35 U.S.C. § 103 over the combination of Woodruff and Mayer;

(G) claims 30 and 31 were rejected under 35 U.S.C. § 103 over the combination of U.S. Patent No. 5,883,762 ("Calhoun") and Japanese Patent No. JP59-150094 ("Inagaki"); and

(H) claims 32 and 33 were rejected under 35 U.S.C. § 103 over the combination of Calhoun, Inagaki, and Mayer.

B. Response to Rejections

Claims 1-23 were rejected over Woodruff alone or in combination with either Carl or Mayer, and all of these rejections are addressed together. More specifically, the undersigned representative would like to thank Examiner Wilkins, III, for holding a personal interview at the United States Patent and Trademark Office on October 9, 2007. During the interview, the undersigned representative and Examiner Wilkins, III, discussed (a) claims 1, 8, 11, 19 and 23, (b) the Woodruff and Carl references, and (c) the rejections based on the Woodruff and Carl references. The Examiner agreed that previously pending claim 19 overcomes the art of record without any amendments, and that amended claims 1, 8, 11 and 23 also overcome the art of record. As a result, the applicants respectfully request withdrawal of the rejections of claims 1-23 over (a) Woodruff; (b) the combination of Woodruff and Carl; and (c) the combination of Woodruff, Carl and Mayer.

Claims 24-33 have been canceled from this application. Therefore, the rejections of claims 24-33 over (a) Woodruff; (b) Woodruff and Mayer; (c) Calhoun and Inagaki; and (d) Calhoun, Inagaki and Mayer are now moot.

The applicants respectfully request reinstatement of withdrawn claim 2. Claim 1 includes a "non-porous barrier," which is generic to both anion- and cation-selective exchange barriers. As such, claim 2 should be reinstated for allowance.

In light of the foregoing, all of the pending claims comply with 35 U.S.C. § 112 and are patentable over the art of record. The applicants accordingly request reconsideration of the application and respectfully submit that the pending claims are in condition for allowance. If Examiner Wilkins, III, has any questions or believes a teleconference would expedite prosecution of this application, he is encouraged to contact the undersigned representative at (206) 359-3258.

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Respectfully submitted,

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